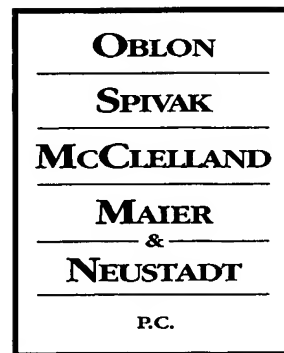




Docket No.: 251032US3X DIV

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



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RE: Application Serial No.: 10/826,309

Applicants: Yoshihiko SAKASHITA, et al.

Filing Date: April 19, 2004

For: HIGH PRESSURE PROCESSING APPARATUS AND
HIGH PRESSURE PROCESSING METHOD

Group Art Unit: 3751

Examiner: MAUST, T.

SIR:

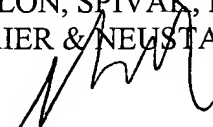
Attached hereto for filing are the following papers:

RESTRICTION RESPONSE

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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DOCUMENT NO: 251032US3X DIV

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
YOSHIHIKO SAKASHITA, ET AL. : EXAMINER: MAUST, T.
SERIAL NO: 10/826,309 :
FILED: APRIL 19, 2004 : GROUP ART UNIT: 3751
FOR: HIGH PRESSURE PROCESSING :
APPARATUS AND HIGH PRESSURE
PROCESSING METHOD

RESTRICTION RESPONSE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Office Action dated November 29, 2004, Applicants herein elect group I corresponding to claims 8-12, drawn to a high pressure processing apparatus, classified in class 141, subclass 85, **with traverse** for prosecution in the present application.

Applicants traverse the outstanding Restriction Requirement as the outstanding Restriction Requirement has not established that an undue burden would be required if the Restriction Requirement was not issued and if all the claims were examined together. More particularly, MPEP §803 states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

Application No. 10/826,309
Reply to Office Action of November 29, 2004

In the present application any search of the elected device claims would also include the classes and subclasses appropriate for searching the method claims, and so then would be no undue burden if all of the claims were examined together.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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